



PATENT APPLICATION
Docket No.: 51271/33 US
(AV Ref.: 1023 US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re application of:

Allen

Serial No.: 10/056,788

Filed: January 23, 2002

For: MUSCLE DIRECTED GENE TRANSFER BY USE OF
RECOMBINANT AAV-1 AND AAV-6 VIRIONS

Examiner: Brian A. Whiteman

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) AUG 27 2003
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) TECH CENTER 1600/2900
) Art Unit
) 1635
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R § 1.97

TO THE COMMISSIONER FOR PATENTS:

Pursuant to his (her) (their) duty of disclosure, applicant(s) enclose(s) copies (a copy) of the document(s) listed on the accompanying Form PTO-1449.

1. This information disclosure statement is being submitted:

- a. ☐ Within three months of the filing date of the above-identified application or within three months of the date of entry of the national stage, or before the mailing date of the first office action on the merits, whichever event occurs last. (No statement under 37 CFR 1.97(e) is required.)
- b. ☐ After the period set forth in paragraph 1a, but before the mailing date of either a final action or a notice of allowance. (Check box i. or ii.)
- i. ☐ A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed.
- ii. ☐ A statement specified by 37 CFR 1.97(e) is set forth below.

- c. ☐ After the mailing date of a final action or notice of allowance and on or before payment of an issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. A petition requesting consideration of the information disclosure statement and the \$130.00 petition fee set forth in 37 CFR 1.17(i) are enclosed.
- d. ☐ Concurrent with the filing of a Request for Continued Examination.
- e. ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 CFR 1.114.

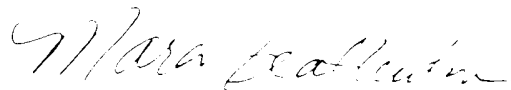
2. ☒ **The attorney or agent signing below hereby states that:**

- a. ☒ **each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.**
- b. ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

3. ☐ Applicant(s) set forth below concise explanations of the relevance of each document not in the English language and/or selected document(s) in the English language.

DATED this 22 day of August, 2003.

Respectfully submitted,



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AUG 22 2003

FORM PTO-14
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
51271/33 US
(AV 1023 US)APPLICATION NO.
10'056/788

INFORMATION DISCLOSURE CITATION

Title: MUSCLE DIRECTED GENE TRANSFER BY USE OF
RECOMBINANT AAV-1 AND AAV-6 VIRIONSAPPLICANT :
AllenFILING DATE:
January 23, 2002EXAMINER:
Brian A. Whiteman

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1	6,093,392	07/25/00	High et al.	A61K	48/00	03/12/98

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	2	M. Richter et al., <i>Adeno-associated Virus Vector Transduction of Vascular Smooth Muscle Cells in Vivo</i> , American Physiological Society, <i>Physiol Genomics</i> , pp. 117-127, (Feb. 2000).
	3	R. W. Herzog et al., <i>Long-term Correction of Canine Hemophilia B by Gene Transfer of Blood Coagulation Factor IX Mediated by Adeno-associated Viral Vector</i> , Nature America Inc., pp. 56-63, (January 1999).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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